

PARTICIPATING ADDENDUM
for
STATE OF NEVADA

WESTERN STATES CONTRACTING ALLIANCE

INTERNATIONAL BUSINESS MACHINES CORPORATION
MASTER PRICE AGREEMENT NO. AR-1474
for
DATA COMMUNICATIONS EQUIPMENT

1. **Scope:** This Participating Addendum adds the State of Nevada as a Participating State to purchase from WSCA Master Price Agreement No. AR-1474 with IBM Corporation. All governmental entities within the State of Nevada including all State agencies, the University and Community College System, the Court System, Legislative Counsel Bureau, Cities, Counties, Public Schools, Institutions of higher education and political subdivisions are authorized to purchase Data Communications Equipment Products and Services under Master Price Agreement No. AR-1474.

Political Subdivision Participation: Participation under this contract by political subdivisions (i.e. colleges, school districts, counties, cities, etc.) will be voluntarily determined by the political subdivision. The contractor agrees to supply the political subdivisions based upon the same terms, conditions and prices.

Purchase Orders: Orders for Nevada State Agencies will be placed by formal purchase order issued by the Nevada State Purchasing Division. All invoices shall be submitted to Nevada State Purchasing for payment. Invoices and all correspondence related to an individual order will reflect the purchase order number issued by the Nevada State Purchasing Division.

2. **Changes to Master Price Agreement:** The following provision is applicable to this Participating Addendum only and is in addition to the Master Price Agreement.

Nevada Quarterly Reporting

IBM will provide a quarterly sales report showing the gross Nevada sales for the quarterly period just ended to the Primary Contact (Paragraph 4, below) in accordance with the following schedule:

<u>Quarter Ending</u>	<u>Report Date</u>
March 31	April 30
June 30	July 31
September 30	October 31
December 31	January 31

The quarterly report will be subtotaled by Purchasing Entity name by State agency or political subdivision. The quarterly report will also include any adjustments from prior periods, if applicable.

3. **Lease Agreements:** Lease agreement terms and conditions have not been approved for use by Purchasing Entities under this Participating Addendum.

4. **Primary Contact:** The primary government contact individual for this Participating Addendum is as follows:

Name: Marti Marsh, Nevada State Purchasing
Address: 209 East Musser Street, Room 304
Carson City, NV 89701
Telephone: (775) 684-0180
Fax: (775) 684-0188
e-mail: mmarsh@purchasing.state.nv.us

5. **Price Agreement Number:** All purchase orders issued by Purchasing Entities within the jurisdiction of this Participating Addendum shall include the following: Master Price Agreement number: AR-1474. All purchase orders shall also reference Nevada State Purchasing Division price agreement number 6768.

This Participating Addendum and the WSCA Master Price Agreement No. AR-1474, (administered by the State of Utah) together with its exhibits, set forth the entire agreement between the parties with respect to the subject matter of all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Participating Addendum and the Master Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the Price Agreement and its exhibits, by any subsequent purchase order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Addendum and the Price Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms.

IN WITNESS WHEREOF, the parties have executed this Participating Addendum as of the date of execution by the duly authorized representatives of the parties below.

Participating State:
State of Nevada

By: Marti Marsh

Name: Marti Marsh

Title: Senior Buyer

Date: October 23, 2002

Contractor:
International Business Machines
Corporation

By: Mary Sue Butler-Pinnell

Name: MARY SUE BUTLER-PINNELL

Title: BUS DEV PRINCIPAL

Date: 10/25/02